

## Northern Region

# Review



A Monthly Publication of the U.S. Army Northern Regional Environmental Office

March 2003

Volume VIII, No. 3

*This publication provides current information on environmental activities and events relevant to U.S. Army interests in the 22 states and territories in Federal Regions 1, 2, 3 and 5. The Review is intended to be a tool useful to Department of Defense and Army environmental decision makers, planners, and program managers in carrying out their responsibilities.*

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### U.S. ENVIRONMENTAL PROTECTION AGENCY NEWS

#### General

**FISCAL YEAR 2003 - 2008 STRATEGIC PLAN** USEPA has released the draft of the Fiscal Year 2003 - 2008 Strategic Plan. The Plan lays out USEPA's five long-term goals and will be used as a guide measuring progress, and prioritizing environmental issues. The Strategic Plan is built around five goals, centered on the themes of air, water, land, communities and ecosystems, and compliance and environmental stewardship. In addition, the Plan discusses strategies the Agency is applying across all five goals, in areas such as science, human capital, innovation, information, homeland security, and partnerships. The Plan may be found at <http://www.epa.gov/ocfo/plan/2003sp.pdf>. Comments are due by April 25, 2003.

#### **FEDFACS NEWSLETTER AVAILABLE ONLINE**

USEPA's Fall/Winter issue of the *FedFacs* Newsletter is now available online. *FedFacs* is the USEPA bi-annual newsletter that highlights news and developments of particular interest to federal facilities. *FedFacs* highlights compliance assistance for federal agencies, pollution prevention information, USEPA-federal agency partnerships and other topical information. The Fall/Winter issue covers such topics as online compliance tracking reports, base closures, environmental management reviews, environmental management system (EMS) workshops, and federal facility program managers. The newsletter may be found at <http://www.epa.gov/compliance/resources/newsletters/civil/fedfac/index.html>.

#### **COMPLIANCE ASSISTANCE CLEARINGHOUSE UPDATED**

USEPA's National Environmental Compliance Assistance Clearinghouse has been updated with new topics and resources, and improved navigational features for easy access. The Clearinghouse includes over 5,000 public and private compliance web resources. The Clearinghouse may be found at <http://cfpub1.epa.gov/clearinghouse/>.

## **COMPLIANCE TRACKING REPORTS FOR FEDERAL FACILITIES**

USEPA's Office of Enforcement and Compliance Assurance has launched a new online version of USEPA's Federal Facility Environmental Compliance Status Reports (ECSR). The online reports will eventually replace the hard copy compliance reports that USEPA distributes to federal agencies, bureaus and operating units each quarter of the fiscal year. The online reports are available to the federal community and offer compliance and enforcement information contained within USEPA program databases about federal facilities. Federal agencies can access up to five years of information on facilities. The reports also allow users to report erroneous data to USEPA electronically. The reports are part of USEPA's Online Tracking Information System (OTIS). To use the federal agency online report feature, users must register. The reports may be found at <http://www.epa.gov/idea/fedfac/>. Information concerning registration may be found at [www.epa.gov/idea/otis/register](http://www.epa.gov/idea/otis/register). For further information, contact Richard Satterfield, (202) 564-2456.

## **APPLICABILITY DETERMINATION INDEX (ADI) UPDATES**

USEPA has issued a notice announcing that updated information has been posted to the ADI database [68 FR 7373, February 13, 2003]. The database was established to ensure nationally consistent responses. USEPA currently compiles EPA-issued applicability determinations for new source performance standards and national emission standards for hazardous air pollutants, alternative monitoring decisions, and regulatory interpretations. The agency posts them on the ADI on a quarterly basis. The database may be searched by date, author, subpart, or subject search. It may be found at <http://cfpub.epa.gov/adi/>. For further information, contact Maria Malave, USEPA, (202) 564-7027, e-mail: [malave.maria@epa.gov](mailto:malave.maria@epa.gov).

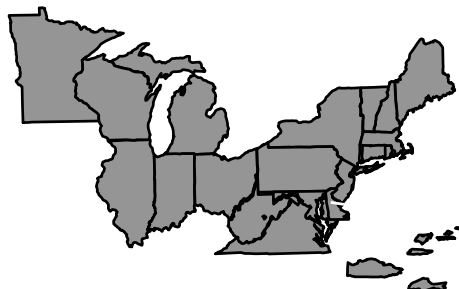
## **Air Quality**

### **INVENTORY OF US GREENHOUSE GAS EMISSIONS AND SINKS: 1990-2001**

USEPA has issued a notice announcing that the Draft Inventory of US Greenhouse Gas Emissions and Sinks: 1990-2001 is available for public review [68 FR 6450, February 7, 2003]. Annual US emissions from 1990-2001 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO<sub>2</sub>), methane, nitrous oxide (NO<sub>x</sub>), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride emissions. The report shows a net greenhouse gas emission increase of about 20 percent between 1991 and 2001. Carbon sequestration rates declined by about 22 percent during the same period. For further information, contact William Irving, USEPA, Clean Air Markets Division, Washington, DC, (202) 564-9065, e-mail: [irving.bill@epa.gov](mailto:irving.bill@epa.gov).

### **CARBON DIOXIDE EMISSIONS LAWSUIT**

Seven state attorneys general have announced plans to sue USEPA over its failure to regulate emissions of carbon dioxide. The states contend that USEPA's current policy regarding CO<sub>2</sub> emissions violates the federal Clean Air Act (CAA). The states' position is that CAA requires USEPA to analyze the impacts of air pollutants from power plants and establish or revise air pollution standards at least every eight years. USEPA has not conducted the legally required analysis for power plant emissions in at least 20 years. As a result, there is no standard for CO<sub>2</sub> emissions, and the standards for particulate matter and sulfur dioxide are outdated. [Ed. Note: Six of the seven states planning to sue fall within the geographical boundaries of the Northern Regional Environmental Office. They are New York, Connecticut, Maine, Massachusetts, New Jersey, and Rhode Island.] The lawsuit announcement may be found at [http://www.oag.state.ny.us/press/2003/feb/feb20a\\_03.html](http://www.oag.state.ny.us/press/2003/feb/feb20a_03.html).



### **SUBMISSIONS To The Northern Region Review**

We encourage feedback and welcome suggestions for expanded or improved coverage. Please contact us at

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*Past and current issues of the Northern Region Review can be found on the Army Environmental Center's website, <http://aec.army.mil>, under Regional Offices.*

**EMISSIONS FROM NEW MARINE COMPRESSION-IGNITION ENGINES** USEPA has finalized emission standards for new marine diesel engines installed on vessels flagged or registered in the US with displacement at or above 30 liters per cylinder [68 FR 9745, February 28, 2003]. Standards vary from 9.8 g/kw-hr for engines with a rated speed above 2000 rpm to 17 g/kw-hr for engines with a rated speed below 130 rpm. The standards are equivalent to the internationally negotiated standards for NOx and will be enforceable for new engines built on or after January 1, 2004. The standards will apply until USEPA adopts a second tier of standards that will be completed no later than April 2007. USEPA intends to consider technology advances that may permit deeper emission reductions and the status of international action for more stringent standards. USEPA also is adopting additional standards for new engines with displacement at or above 2.5 liters per cylinder but less than 30 liters per cylinder. The standards also are equivalent to the internationally negotiated standards for NOx. The standards will apply through 2006. Beginning in 2007, Tier 2 standards will go into effect (64 FR 73300, December 29, 1999). For further information, contact USEPA, Assessment and Standards Division, (734) 214-4636, e-mail: [asdinfo@epa.gov](mailto:asdinfo@epa.gov).

## Guidance

**SUPERFUND EXPOSURE ASSESSMENT GUIDANCE UPDATE** USEPA has announced the availability of an updated version of the Superfund risk assessment guidance, titled, "Calculating Upper Confidence Limits for Exposure Point Concentrations at Hazardous Waste Sites." The document is an update to the 1992 guidance originally developed to supplement USEPA's Risk Assessment Guidance for Superfund (RAGS), Volume 1 - Human Health Evaluation Manual [RAGS/HHEM, EPA, 1989], which describes a general approach for estimating exposure of individuals to chemicals of potential concern at hazardous waste sites. The update may be found at <http://www.epa.gov/superfund/programs/risk/ragsa/ucl.pdf>.

**GUIDANCE FOR SOIL SCREENING AND INSTITUTIONAL SITE CONTROLS** USEPA has posted recently issued guidance documents relevant to site remediation. The guidance documents are titled, "Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites," and "Institutional Controls: A Guide to Implementing, Monitoring, and Enforcing Institutional Controls at Superfund, Brownfields, Federal Facility, UST and RCRA Corrective Action Cleanups, August 2002." The purpose of the guidance is to : (1) provide Superfund, brownfields, federal facility, Underground Storage Tank (UST), and Resource Conservation and Recovery Act (RCRA) corrective action site managers and site attorneys with an overview of responsibilities for the implementation, monitoring, and enforcement of institutional controls at their sites; and (2) discuss common issues site managers and site attorneys may encounter when carrying out the responsibilities. The guidance documents may be found at [http://www.epa.gov/superfund/resources/soil/ssg\\_main.pdf](http://www.epa.gov/superfund/resources/soil/ssg_main.pdf), and <http://www.epa.gov/superfund/action/ic/guide/icgdraft.pdf>, respectively.

**COMPLETION OF CORRECTIVE ACTION AT RCRA FACILITIES** USEPA has announced the availability of the newly issued, "Guidance on Completion of Corrective Action Activities at RCRA Facilities" memorandum to regulators and to the regulated community [68 FR 8757, February 25, 2003]. The memorandum provides USEPA regions, the states, tribes, the regulated community, members of the public, and other stakeholders with guidance on significant issues related to the completion of corrective action activities at RCRA facilities. It provides guidance on when each type of completion determination is appropriate. It also discusses completion determinations for less than an entire facility. Finally, it provides guidance on procedures for USEPA and the authorized states when making completion determinations. The guidance was issued on February 13, 2003. For further information, contact Peter Neves, USEPA, Office of Site Remediation Enforcement, Washington, DC, (202) 564-6072, e-mail: [neves.peter@epa.gov](mailto:neves.peter@epa.gov).

**SMALL WATER SYSTEMS INFORMATION AND GUIDANCE** USEPA has posted new guidance documents to the Small Water Systems Information and Guidance website. The guidance documents are to help small drinking water systems comply with drinking water requirements. "Complying With the Revised Drinking Water Standard for Arsenic: Small Entity Compliance Guide" is one such document designed for small drinking water systems affected by the revised Arsenic Rule. The documents may be found at [www.epa.gov/safewater/smallsys/ssinfo.htm](http://www.epa.gov/safewater/smallsys/ssinfo.htm).

## Remediation

**STUDY ON PERFORMANCE OF WASTE CONTAINMENT SYSTEMS** USEPA has released a study assessing the design, construction, and performance of waste containment systems used at landfills, surface impoundments, and waste piles, and in the remediation of contaminated sites. "Assessment and Recommendations for Improving the Performance of Waste Containment Systems" [EPA/600/R-02/099] evaluates various liner and barrier types: (1)

geomembranes; (2) compacted clay liners (including natural soils), and (3) geosynthetic clay liners. Field performance and construction issues such as slopes are discussed. Despite waste reduction and recycling programs, disposal in landfills containing engineered waste containment systems continues to be the most widely used method in the US for the disposal of municipal solid waste and many other types of waste. The majority of solid waste material requiring management and/or disposal in the US, in descending order of approximate degree of hazard, are low-level radioactive waste, hazardous waste, heap leach residual waste, hospital/research waste, municipal solid waste, incinerator ash, sewage treatment sludge, contaminated dredge soil, electric power-generation ash, mine spoil, and construction and demolition waste. USEPA is concurrently completing a new technical guidance document titled, "Technical Guidance for RCRA/CERCLA Final Covers" (Bonaparte et al., 2002). The reader is referred to the guidance document for more detailed information on final cover systems for landfills and remediation sites. The study may be found at <http://www.epa.gov/ORD/NRMRL/Pubs/600R02099/600R02099.pdf>.

**ANNUAL STATUS REPORT REMEDIATION DATABASE** USEPA's Technology Innovation Office has released a searchable database of treatment technology applications for soil, groundwater, and other media at Superfund sites. The information in the database was gathered from Superfund Records of Decision (RODs), ROD Amendments, and Explanations of Significant Difference from fiscal year 1982 through 1999; and project managers at Superfund remedial and removal sites. It contains information about source control technologies (addressing soil, sludge, sediment, and other solid-matrix wastes), in situ groundwater treatment technologies, and subsurface barrier groundwater containment technologies (vertical engineered barriers). The database is searchable by site name, site identification number (CERCLIS ID), state, technology type, contaminant, and media. The database may be found at <http://cfpub.epa.gov/asr/>.

## Solid Waste

**NEW TEST METHODS ONLINE** USEPA has posted six recently adopted test methods in the online version of SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods." SW-846 is the Office of Solid Waste's official compendium of analytical and sampling methods that have been evaluated and approved for use in complying with RCRA regulations. The newly posted methods are potentially valuable for site remediation field work, or are microscale methods that minimize sample size and produce less solvent waste in the laboratory. The methods are: (1) Method 8265: Volatile Organic Compounds in Water, Soil, Soil Gas and Air by Direct Sampling Ion Trap Mass Spectrometry; (2) Method 5035A: Closed-System Purge-and-Trap and Extraction for Volatile Organics in Soil and Waste Samples; (3) Method 4025: Screening for Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans by Immunoassay; (4) Method 3570: Microscale Solvent Extraction; (5) Method 3511: Organic Compounds in Water by Microextraction; and (6) Method 8323: Determination of Organotins by Micro-Liquid Chromatography-Electrospray Ion Trap Mass Spectrometry. The newly posted test methods may be found at <http://www.epa.gov/epaoswer/hazwaste/test/sw846.htm>.

## Water Quality

**NEW WATER QUALITY TRADING POLICY** USEPA announced a new water quality trading policy to cut industrial, municipal and agricultural discharges into the nation's waters. The trading policy seeks to support and encourage states and tribes in developing and putting into place water quality trading programs that implement the requirements of the Clean Water Act (CWA) and federal regulations in more flexible ways, and reduce the cost of improving and maintaining the quality of the nation's waters. For further information, visit USEPA's website at [http://www.epa.gov/epahome/headline\\_011303.htm](http://www.epa.gov/epahome/headline_011303.htm).

**DEFINITION OF "WATERS OF THE UNITED STATES"** USEPA has extended the comment period for the proposed rule related to the CWA regulatory definition of "Waters of the United States" from March 3 to April 16, 2003 [68 FR 9613, February 28, 2003]. On January 15, 2003, the Department of the Army and USEPA jointly published a proposed rule on the CWA regulatory definition of "Waters of the United States." The proposal requested public input on issues associated with the definition in light of a US Supreme Court decision. The proposal also solicited information from the general public, the scientific community, and federal and state resource agencies on the implications of the court decision for jurisdictional decisions under CWA. A notice of the proposed rule was published in the February *Northern Region Review*. For further information, contact Donna Downing, USEPA, Washington, DC, (202) 566-1366, e-mail: [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov); or Ted Rugiel, USACE, Washington, DC, (202) 761-4595, e-mail: [Thaddeus.J.Rugiel@HQ02.USACE.ARMY.MIL](mailto:Thaddeus.J.Rugiel@HQ02.USACE.ARMY.MIL).



**NPDES GENERAL PERMIT FOR STORMWATER DISCHARGE** USEPA has released transitional guidance for the National Pollutant Discharge Elimination Systems (NPDES) general permit for stormwater discharge for large construction (disturbing five or more acres) for Regions 1, 2, 3, 5, 7, 8, 9, and 10. The NPDES stormwater construction general permit (CGP) expired on February 17, 2003. USEPA is currently working to issue a new permit that is expected to be finalized in May 2003 and will include both large and small construction (disturbing one acre and above). A notice of the proposed new permit was published in the January *Northern Region Review*. During the transition period, large construction activities should utilize the existing Notice of Intent (NOI) form and submit it to the USEPA NOI Processing Center. Large construction activities must continue to comply with the permit requirements of the CGP, including development of a stormwater pollution prevention plan and implementation of soil erosion and sedimentation practices. When the new CGP is finalized, all construction activities (large and small, disturbing one acre or more) in states where USEPA is the permitting authority must apply or reapply for permit coverage using a new NOI form. Please check the NPDES website for updates and instructions at <http://cfpub.epa.gov/npdes/stormwater/cgplarge.cfm>.

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#### OTHER FEDERAL AGENCY NEWS

**BIRDS OF CONSERVATION CONCERN 2002** The US Fish and Wildlife Service (USFWS) has released a document titled, "Birds of Conservation Concern 2002" [68 FR 6179, February 6, 2003]. The purpose of the document is to identify species, subspecies, and populations of migratory and non-migratory birds in need of additional conservation actions. The document may be found at <http://migratorybirds.fws.gov/reports/BCC2002.pdf>. For further information, contact Brian Millsap, USFWS, Division of Migratory Bird Management, Arlington, VA, (703) 358-1714.

**UNDERGROUND STORAGE TANK PROGRAM** The Government Accounting Office (GAO) has released a report reviewing the underground storage tank program (GAO-03-529T). The report discusses the need for on-site inspection to establish compliance with monitoring and other requirements. The report indicates that officials in 40 states said that they would support a federal mandate requiring states to periodically inspect all tanks, in part because they expect that such a mandate would provide them needed leverage to obtain the requisite inspection staff and funding from their legislatures. The report may be found at <http://www.gao.gov/new.items/d03529t.pdf>. For further information, contact John Stephenson, GAO, (202) 512-3841.

**DRINKING WATER STANDARDS UPHELD** The DC Circuit Court of Appeals upheld USEPA's rule setting limits on the permissible level of radionuclides in drinking water. The regulation retains the existing standards for radionuclides radium-226, radium-228, and certain beta/photon emitters, and establishes standards for uranium for the first time. The rule sets forth monitoring, reporting, and public notification requirements for radionuclides. The rule becomes effective December 8, 2003. The court decision, "City of Waukesha v. EPA", may be found at: <http://pacer.cadc.uscourts.gov/docs/common/opinions/200302/01-1028a.pdf>.

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CONFERENCES	WHEN	WHERE	DETAILS
<b>Remediation Innovative Technology Seminar (RITS)</b>	4/1/03 4/3/03 5/1/03	<b>Philadelphia, PA Norfolk, VA Arlington, VA</b>	RITS is sponsored by the Naval Facilities Engineering Command and provides training on new and innovative technologies, methodologies, and guidance under the Navy's Environmental Restoration Program. Topics covered in the agenda include: (1) coastal contamination migration monitoring; (2) toxicity identification evaluation and assessing risk to amphibians; (3) DNAPL detection and characterization techniques; and (4) estimating timeframes of monitored natural attenuation. While the RITS is developed primarily for the Navy's Environmental Restoration and Base Realignment and Closure environmental professionals, it is also available to other DOD personnel, Navy environmental cleanup contractors, and environmental regulators. For further information, visit the seminar's website at <a href="http://enviro.nfesc.navy.mil/erb/erb_a/support/rits/rits-current.htm#top">http://enviro.nfesc.navy.mil/erb/erb_a/support/rits/rits-current.htm#top</a> , or call (805) 982-5575.
<b>29<sup>th</sup> Environmental and Energy Symposium and Exhibition</b>	4/7 - 4/10/03	<b>Richmond, VA</b>	The Environment and Energy Division and the National Defense Industrial Association sponsor the symposium. It provides a national forum for the exchange of technical information, government policy, regulations, programs and laws; and new ideas on environmental and energy issues and areas of concern. For further information visit the symposium website at <a href="http://register.ndia.org/interview/register.ndia?~Brochure~3440">http://register.ndia.org/interview/register.ndia?~Brochure~3440</a> , or contact Derek Jenks at <a href="mailto:djenks@ndia.org">djenks@ndia.org</a> .
<b>National Pollution Prevention Roundtable (NPPR) Spring Conference</b>	4/8 - 4/11/03	<b>Louisville, KY</b>	The Pollution Prevention (P2) Roundtable will bring together the most preeminent pollution prevention practitioners and experts to share the latest in policy, regulatory, and technical information. The meeting will feature special tracks on Environmental Management Systems (EMS) and P2, international sustainability policy discussions as a follow-up to the World Summit, and P2's role in addressing global climate change challenges. For further information, visit the NPPR website: <a href="http://www.p2.org/events/spring2003/">http://www.p2.org/events/spring2003/</a> .
<b>26<sup>th</sup> Annual Conference on Analysis of Pollutants in the Environment</b>	4/29 - 4/30/03	<b>Chicago, IL</b>	Hosted by USEPA the conference is designed to bring together representatives of regulated industries, commercial environmental laboratories, state and federal regulators, municipal water and wastewater laboratories, and environmental consultants and contractors to discuss all aspects of environmental measurement. The focus is on environmental water regulations, compliance monitoring, and related issues. For further information, contact Jennifer Maglinao, DynCorp Systems & Solutions LLC, (703) 461-2137, e-mail: <a href="mailto:jennifer.maglinao@DynCorp.com">jennifer.maglinao@DynCorp.com</a> .

CONFERENCES	WHEN	WHERE	DETAILS
<b>US Department of the Interior Annual Environmental Conference</b>	5/13 - 5/15/03	<b>Phoenix, AZ</b>	Hosted by USFWS, the conference theme is "Partnering for Environmental Stewardship: Resource Conservation for the Future." For further information, visit the conference website at <a href="http://www.doi.gov/conference/environment">http://www.doi.gov/conference/environment</a> .
<b>13<sup>th</sup> Annual DOD Low-Level Radioactive Waste Generators Meeting</b>	5/13 - 15/15/03	<b>St. Louis, MO</b>	The DOD Executive Agency for Low-Level Radioactive Waste will hold the meeting at the Marriott Pavilion. Meet to hear from management personnel responsible for the DOD Radioactive Waste Disposal Program. The agenda focuses on changes affecting current and new disposal site availability, disposal costs, new technologies for waste management, radioactive materials in the public sector and other national issues. For further information, contact Richard Conley, US Army, (309) 782-0171, <a href="mailto:conleyr@osc.army.mil">conleyr@osc.army.mil</a> .
<b>Real World Clean Air Symposium</b>	5/19 - 5/22/03	<b>Seattle, WA</b>	The symposium is sponsored by US Army Forces Command, Hill Air Force Base, Fort Irwin, the West Coast Section of the Air and Waste Management Association, with support from the Army Training and Doctrine Command, the US Army Environmental Center, and USEPA. For further information, contact Michelle Kubal, (937) 254-7950, ext. 1168, e-mail: <a href="mailto:mkubal@anteon.com">mkubal@anteon.com</a> , or visit the symposium website at <a href="http://www.usasymposium.com">www.usasymposium.com</a> .
<b>11<sup>th</sup> Annual Global Demilitarization Symposium and Exhibition</b>	5/19 - 5/22/03	<b>Sparks, NV</b>	The Joint Ordnance Commanders Group and NDIA will conduct the symposium. The event continues to support the DOD in efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda focuses on the global challenges and successes experienced in the disposition of energetic materials. For further information, contact Tim Becker or Dawn Harper, NDIA, (703) 247-2573, e-mail: <a href="mailto:tbecker@ndia.org">tbecker@ndia.org</a> , or <a href="mailto:dharp@ndia.org">dharp@ndia.org</a> .
<b>USEPA National Corrective Action Conference</b>	6/24 - 6/25/03	<b>New Orleans, LA</b>	USEPA Region 6 is hosting the conference with the theme, "Progress, Vision and Success." The purpose of the conference is to meet and interact directly with the regulated community in an effort to build upon national and regional corrective action reforms. For further information, contact Rick Ehrhart, USEPA, (214) 665-6765, e-mail: <a href="mailto:ehrhart.richard@epa.gov">ehrhart.richard@epa.gov</a> , or visit the conference website at <a href="http://www.nationalcaconf.com">www.nationalcaconf.com</a> .
<b>Region 3 Environmental Colloquium</b>	9/9 - 9/11/03	<b>Williamsburg, VA</b>	The colloquium will be held at the Williamsburg Marriott Hotel, Williamsburg, Virginia. For further information, visit the colloquium website at <a href="http://www.epa.gov/reg3esd1/fedfac/seminars.htm">http://www.epa.gov/reg3esd1/fedfac/seminars.htm</a> , or contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: <a href="mailto:james.hartman@aec.apgea.army.mil">james.hartman@aec.apgea.army.mil</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>Army Environmental Training Symposium/ Workshop</b>	3/23 - 3/28/03	<b>Kansas City, MO</b>	Hosted by the US Army, the workshop will consist of numerous environmental short courses and seminars, and is intended to provide (1) awareness and training in Army environmental programs and specific environmental subject areas; (2) preparation for the new installation management business models (i.e., Transformation of Installation Management and Environmental Management Systems); and (3) installation staff opportunities to obtain program updates and share lessons learned. The workshop will focus on installation-level requirements. For further information, please contact Susan West, US Army Training and Doctrine Command, (757) 788-2279, e-mail: <a href="mailto:wests@monroe.army.mil">wests@monroe.army.mil</a> ; or Susan Thomas, USAEC, (410) 436-6899, e-mail: <a href="mailto:susan.thomas@aec.apgea.army.mil">susan.thomas@aec.apgea.army.mil</a> .
<b>Hazardous Materials Incident Response Operations (HMIRO) Class</b>	4/7 - 4/11/03	<b>Fort AP Hill, VA</b>	USEPA is hosting the class at the National Guard Armory just outside Fort AP Hill, Virginia. The class is free to federal, state, and county employees. There will be one application package per student (request and medical clearance) and it should be faxed directly to the USEPA registrar. For further information or to register, contact Tammy Aloisio, (513) 251-7669.
<b>American Indian Cultural Communications Course</b>	5/6 - 5/8/03	<b>Panama City, FL</b>	Hosted by the DOD Office of the Deputy Under Secretary (Installations and Environment) the course will be held at the Naval Surface Warfare Center Coastal Systems Station, Panama City, Florida. The course is designed to help staff at DOD facilities understand the DOD American Indian/Alaska Native Policy and how to implement it at their sites. For further information, contact Dr. Donata Renfrow, (678) 357-6513, e-mail: <a href="mailto:donata@mindspring.com">donata@mindspring.com</a> , or watch a video overview on DENIX at <a href="https://www.denix.osd.mil/denix/Public/Native/trainingcourse.html">https://www.denix.osd.mil/denix/Public/Native/trainingcourse.html</a> .
<b>Intermediate Health Risk Communication Workshop</b>	5/12 - 5/15/03	<b>San Antonio, TX</b>	Hosted by the US Army Center for Health Promotion and Preventive Medicine (USACHPPM), the intermediate workshop builds on the basic understanding and skills presented in the introductory course, providing the participant with hands-on experience, on-camera media practice, and seminar-style discussions of issues impacting military health and readiness. For further information, contact Kita Perry, (410) 436-3515, e-mail: <a href="mailto:suaquita.perry@apg.amedd.army.mil">suaquita.perry@apg.amedd.army.mil</a> , or visit the website at <a href="http://chppm-www.apgea.army.mil/risk/">http://chppm-www.apgea.army.mil/risk/</a> .
<b>Super Energy Savings Performance Contracting Workshop</b>	5/20 - 5/21/03 7/22 - 7/23/03	<b>Indianapolis, IN Washington, DC</b>	The US Department of Energy's Federal Energy Management Program, is presenting the free workshop for federal employees involved in energy management, engineering, and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. For further information or to register, call (703) 243-8343.



WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>FEMP'S Utility Project Workshops</b>	5/28 - 5/29/03 9/16 - 9/17/03	<b>Brooklyn, NY Chicago, IL</b>	Hosted by the Federal Energy Management Program (FEMP) the workshops provide attendees with an overview of the contracting options and services available from local utility companies that offer engineering, financing, and installation of cost effective energy and water savings projects. Federal project implementation teams including facility and energy managers, engineering and legal staff, and procurement and contracting officials are strongly encouraged to attend. For further information, contact the FEMP workshop hotline at (703) 243-8343.
<b>2003 Army CWA/SDWA Workshop</b>	6/2 - 6/5/03	<b>Albuquerque, NM</b>	The Army is sponsoring the workshop for Army environmental personnel to increase understanding of the requirements and challenges of CWA and the Safe Drinking Water Act (SDWA) management at all levels of Army organization. The workshop provides an opportunity to make contacts, share information with peers, and interact with decision-makers. For further information, visit the workshop website at <a href="http://dm.westonproject.net/wiw/">http://dm.westonproject.net/wiw/</a> .
<b>Learning Together 2003 Workshop</b>	6/2 - 6-3/03	<b>San Antonio, TX</b>	The Workshop is hosted by the Multi-State Working Group (MSWG) on Environmental Management Systems, and co-sponsored with the Texas Commission on Environmental Quality. MSWG convenes government, non-government, business and academic interests to conduct research, promote dialogue, create networks and establish partnerships that improve the state of the environment, economy and community through systems-based public and private policy innovation. For further information, visit the workshop website at <a href="http://www.iwrc.org/mswg/lt2003/ltconf2003.cfm">www.iwrc.org/mswg/lt2003/ltconf2003.cfm</a> .
<b>Introductory Health Risk Communication Workshop</b>	6/3 - 6/5/03	<b>Providence, RI</b>	Hosted by USACHPPM, the workshop will provide the participant with a basic understanding of concepts, principles, and process of effective risk communication, including building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. For further information, contact Kita Perry, (410) 436-3515, e-mail: <a href="mailto:suaquita.perry@apg.amedd.army.mil">suaquita.perry@apg.amedd.army.mil</a> , or visit the website at <a href="http://chppm-www.apgea.army.mil/risk/">http://chppm-www.apgea.army.mil/risk/</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>USEPA EMS Workshop</b>	8/5 - 8/7/03	<b>Kansas City, KS</b>	USEPA Regions 5 and 7 are hosting, "Designing Your EMS: A Federal Facilities Workshop." The workshop is appropriate for federal facility environmental managers and staff who have responsibilities for implementing Executive Order 13148. Topics covered include the basic elements of an EMS and the steps required to implement an EMS. For further information, contact Diana Jackson, USEPA Region 7 Federal Facilities Manager, (913) 551-7744, e-mail: <a href="mailto:jackson.diana@epa.gov">jackson.diana@epa.gov</a> .
<b>12<sup>th</sup> Annual ITAM Workshop</b>	8/18 - 8/23/03	<b>El Paso, TX</b>	Hosted by Ft. Bliss, Texas, the theme for the 2003 Integrated Training Area Management (ITAM) workshop is "Common Dirt – Make it Work." The workshop will include a "GIS day." The theme for GIS day is "Supporting Military Readiness through GIS." For further information, visit the workshop website at <a href="http://www.army-itam.com/workshop/12th/workshop.jsp">http://www.army-itam.com/workshop/12th/workshop.jsp</a> .
<b>Qualified Recycling Program Course</b>	Multiple Dates	<b>Multiple Locations</b>	The course provides hands-on training on how to identify and market recyclable materials. The course is for any person or organization that generates recyclable materials, is associated with an installation recycling program or DOD precious-metals recovery program, or works for a DRMO. For further information, visit the Environmental Management Department's course information website at <a href="http://www.almc.army.mil/EMD/Page5.html">http://www.almc.army.mil/EMD/Page5.html</a> .
<b>USEPA Environmental Response Training Program</b>	Multiple Dates	<b>Multiple Locations</b>	As part of USEPA's comprehensive program for protecting the public and the environment from hazardous materials, the Emergency Response Division of the Office of Emergency and Remedial Response has developed the Environmental Response Training Program. The <a href="#">training courses</a> in the program are designed for personnel who respond to or who investigate and clean up abandoned hazardous waste sites. The latest information on training may be found at <a href="http://www.ertresponse.com/Training/index.htm">http://www.ertresponse.com/Training/index.htm</a> . For further information, contact Bruce Potoka, USEPA, (513) 569-7537, e-mail: <a href="mailto:potoka.bruce@epa.gov">potoka.bruce@epa.gov</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>DSMOA Training</b>	Multiple Dates	<b>Multiple Locations</b>	DOD is hosting a series of 12 DOD/State Memorandum of Agreement (DSMOA) training workshops to be held at various locations across the country. The training will focus on teaching a standardized approach to the six-step cooperative agreement process and promoting a productive dialogue between members of the DSMOA program. Both state and DOD DSMOA personnel are encouraged to attend. Please visit the conference website at <a href="https://www.enstg.com/conference/">https://www.enstg.com/conference/</a> to determine the date and location of the session where your state is participating. It is important that DSMOA personnel attend the training workshop identified for their state. The website should also be used to register and obtain agenda and hotel information.
<b>Air Force Institute of Technology Training</b>	Multiple Dates	<b>Multiple Locations</b>	The fiscal year 2003 schedule for AFIT training courses is available at <a href="http://cess.afit.edu">http://cess.afit.edu</a> .
<b>USACE Various Environmental Training</b>	Multiple Dates	<b>Multiple Locations</b>	The USACE Professional Development Support Center has released the fiscal year 2003 course schedule, at <a href="http://pdsc.usace.army.mil/courseschedule.asp">http://pdsc.usace.army.mil/courseschedule.asp</a> . Information on various environmental courses may be found on the site either by searching with a keyword or by using the course number (CN). Environmental courses include Clean Air Act Workshop (CN 443), CERCLA/RCRA Remediation Processes, (CN 356) Environmental Regulatory Practical Application (CN 398), and many others.
<b>USEPA Regions 1, 2, 3, &amp; 5 Training Courses</b>	Multiple Dates	<b>Multiple Locations</b>	USEPA Regions 1, 2, 3, & 5 continually offer training on a variety of subjects. For further information regarding the types of courses, dates, and locations, visit USEPA's training exchange website at <a href="http://www.trainex.org">www.trainex.org</a> .
<b>Lead Paint Training</b>	Multiple Dates	<b>Multiple Locations</b>	The US Department of Housing and Urban Development is sponsoring a training series on lead-based paint maintenance and lead-based paint remodelers and renovators. The courses are scheduled to be held throughout Regions 1, 2, 3, & 5. For further information and schedule updates, visit the lead listing website at <a href="http://www.leadlisting.org">www.leadlisting.org</a> .

**CONFERENCE AND TRAINING INFORMATION ON DENIX** Visit the DENIX web pages dedicated to [DOD conference information](#), [state conference information](#), and [DOD training opportunities](#).

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# Region 1

Connecticut, Maine, Massachusetts, New Hampshire,  
Rhode Island and Vermont



## MAINE

**GENERAL PERMITS FOR SMALL CONSTRUCTION ACTIVITIES AND SMALL MS4S** The Maine Department of Environmental Protection (MEDEP) has proposed the adoption of general permits for small construction activities and small municipal separate storm sewer systems (MS4s), as required by USEPA's Phase II stormwater requirements. MEDEP staff report that the proposal will not offer the Rainfall Erosivity Factor or Total Maximum Daily Load (TMDL)-based waivers for small construction activities. MEDEP worked with a stakeholder group to develop the general permits. For further information, contact Don Witherill, MEDEP, (207) 287-7725.



## MASSACHUSETTS

**GENERAL PERMIT FOR SMALL MS4S** The Massachusetts Department of Environmental Protection (MADEP), in conjunction with USEPA, has proposed the adoption of a general permit for stormwater discharges associated with small MS4s. Because Massachusetts does not have a state-authorized NPDES program, MADEP proposes to adopt USEPA draft general permit for small MS4s in USEPA Region 1. Phase II of the Stormwater Regulations requires the adoption of a general permit for small MS4s. USEPA is scheduled to publish the general permit in the Federal Register by the end of March 2003. For further information, contact Paul Hogan, MADEP, (508) 767-2796.

**SEWER USE REGULATIONS** The Massachusetts Water Resources Authority (MWRA) has proposed amendments to the Sewer Use Regulations, 360 CMR 10.000, and the Enforcement and Administrative Penalties Regulations, 360 CMR 2.00. The amendments: (1) change specific prohibitions and discharge limits for the Metropolitan Sewerage Service Area and Clinton Sewerage Service Area; (2) increase charge amounts for permit holders under the Incentive and Other Charges Program; (3) adopt charge amounts for direct connection permits; (4) create a combined permit for photo processing, printing, and low flow operations; (5) make the general permit for low-flow and low-pollutant dischargers mandatory rather than optional; (6) allow analytical data to be submitted from laboratories with NELAP accreditation; (7) clarify certain provisions; and (8) make other changes. For further information, contact Eugene Benson, MWRA, (617) 241-2310.

**TOXIC AND HAZARDOUS SUBSTANCE LIST** The Massachusetts Executive Office of Environment Affairs (MEOEA) has proposed amendments (301 CMR 41.00) that update the Toxic or Hazardous Substance List to conform with Section 313 of the federal Emergency Planning and Community Right-to-Know Act (EPCRA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The proposed amendments will also add crystalline silica less than 10 microns in size and used in abrasive blasting and molding to the list as of calendar year reporting period 2002. For further information, contact David Lutes, MEOEA, (617) 626-1049.



## NEW HAMPSHIRE

**REVISIONS TO PROCEDURAL RULES** The New Hampshire Department of Environmental Services (NHDES) has proposed amendments to Env-A 600, Statewide Air Permit System. The amendments: (1) revise Env-A 607.01(x) by creating a permit exemption for solvent metal cleaning operations subject to Env-A 1204 and that have combined actual emissions of less than 5 tons of VOC per year; (2) repeal Env-A 613, which contains rules for applying the "bubble

concept" to a facility; (3) add a new subparagraph to Env-A 620.01(a) to allow engineering calculations when determining actual emissions; and (4) add a new section, Env-A 612.03, to allow the holder of a temporary permit or state permit to operate to make changes that would violate existing permit conditions, but that would not cause a change in emissions from a facility. The permittee would be required to apply for a minor permit amendment, but could make the change before receiving the amendment from NHDES, and no public notice would be required. NHDES must readopt and amend the regulations in order to comply with the CAA. If a state fails to adopt or readopt a rule that is an important component of the operating permit program, USEPA has the authority to implement and enforce its own permit program in place of the state program and to withhold federal transportation funds from the state. The amendments may be found at <http://www.des.state.nh.us/ard/prop600.pdf>. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**TITLE V PERMIT DEFINITION REVISIONS** NHDES has proposed revisions to several air regulations definitions and permitting procedural rules. The proposal would amend three definitions in Env-A 101: "minor modification," "minor permit amendment" and "state permit to operate." The changes are needed to conform the definitions to the provisions of Env-A 600, Statewide Permit System. The procedural rules concern both state and Title V permits. The proposed changes include extending the time period within which NHDES can issue findings of fact and response to public and applicant comments. NHDES also is considering changing the definition of major source to conform with USEPA's revised definition. USEPA is requiring states to make the change to their SIP plans. If a state fails to adopt or readopt a rule that is an important component of the operating permit program, USEPA has the authority to implement and enforce its own permit program in place of the state program and to withhold federal transportation funds from the state. The revisions may be found at [http://www.des.state.nh.us/ard/prop101\\_3.pdf](http://www.des.state.nh.us/ard/prop101_3.pdf). For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**PERMIT FEE SYSTEM AND APPLICATION RULES** NHDES has proposed to readopt Env-A 700, Permit Fee System, with minor editorial changes. The existing rules expire on June 30, 2003, and establish the permit fee system for sources of air pollutant emissions and allow NHDES to assess fees for pollutant emissions, permit application reviews, and testing and monitoring costs. USEPA would withdraw approval of the state Title V program if Env-A 704 is not readopted, and the agency could withhold federal transportation funds from the state. NHDES also has proposed to revise Env-A 1700, Air Permit Application Forms, to streamline the forms. The proposal would not impose any new requirements. The existing rule establishes the forms that NHDES requires air permit applicants to use and lists the types of information that must be submitted on the forms. The proposal may be found at <http://www.des.state.nh.us/ard/prop700.pdf> and <http://www.des.state.nh.us/ard/prop1700.pdf>, respectively. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.



## RHODE ISLAND

**STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM** The Rhode Island Department of Environmental Management (RIDEM) has issued a final rule amending regulations regarding the Rhode Island pollutant discharge elimination system (RIPDES) and stormwater Phase II requirements. The rule addresses population and geographic boundary changes and revises standards for MS4s in urbanized areas. The rule also modifies eligibility criteria for waivers for specified areas and expands boundaries for all municipalities partially located within an urbanized area. The rule became effective on February 25, 2003. For further information, contact Margarita Chatterton, RIDEM, Office of Water Resources, (401) 222-4700.

**ADOPTION OF FEDERAL AMBIENT AIR QUALITY STANDARDS** RIDEM has proposed the adoption of the Rhode Island Attainment Plan for the 1-Hour Ozone National Ambient Air Quality Standards (NAAQS) as required by USEPA. From 1999-2001, the 1-hour NAAQS was violated at all three of the state's ozone monitors. According to the terms of a consent decree between USEPA and environmental organizations, USEPA must approve an attainment demonstration SIP by March 30, 2003 or implement a federal implementation plan in the state. For further information, contact Barbara Morin, RIDEM, (401) 222-2808, ext.7012.

**REVISIONS TO PHASE II STORMWATER PROGRAM** RIDEM has adopted revisions to the RIPDES regulations adopted in March 2002. The RIPDES regulations address changes in the NPDES regulations that were made final by USEPA on December 8, 1999, to expand the Phase I Stormwater Program. The RIPDES regulations address



discharges from small MS4s and construction sites that disturb one to five acres, along with allowing for an exemption from permit requirements for stormwater discharges, for light industrial facilities that have no exposure of industrial activities or materials to stormwater. In addition, the regulations established March 10, 2003 as the application deadline for stormwater discharges from industrial facilities that are owned or operated by federal, state or local government. The revisions to the RIPDES are required to address population and geographical boundary changes as a result of 2000 Bureau of the Census data for urbanized areas. The amendments became effective February 25, 2003. For further information, contact Margarita Chatterton, RIDEM, (401) 222-4700, ext. 7605.

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# Region 2

New Jersey, New York, Puerto Rico  
and the Virgin Islands



## NEW JERSEY

**TOXIC CATASTROPHE PREVENTION ACT RULES** The New Jersey Department of Environmental Protection (NJDEP) has proposed the readoption of the Toxic Catastrophe Prevention Act (TCPA) rules with amendments. The current rules will expire on June 18, 2003. The proposed amendments will add certain reactive hazardous substances to the extraordinarily hazardous substances (EHS) list and establish threshold quantities for their regulation, regulate liquefied petroleum gas (LPG) when used as feedstocks or ingredients, and regulate LPG in the same manner as the federal program by exempting flammable gases when held for sale or used as fuel. The proposed amendments would replace the current penalty table with an expanded version that lists each possible violation separately. Additional proposed amendments would reinstate certain TCPA requirements effective prior to the 1998 readoption, specify the type of information to be submitted for compliance with TCPA reporting and record keeping requirements, and establish other risk management program requirements to minimize accidental EHS release. Comments are due by April 21, 2003. For further information, contact Stacey Roth, NJDEP, (609) 777-4258.

**AMENDMENTS OF EMISSION STATEMENT RULES** NJDEP has adopted amendments to the emission statement rules (NJAC 7:27-21). The amendments include: (1) an increase to the reporting requirements for higher potential-to-emit (PTE) facilities more than for lesser PTE facilities and/or make the new requirements effective sooner for higher PTE facilities than for lesser PTE facilities; (2) a requirement that higher PTE facilities report emissions of two greenhouse gases (GHGs), CO<sub>2</sub>, and methane (CH<sub>4</sub>), beginning with the Emission Statements for reporting year 2002 that are submitted in 2003; (3) a requirement for reporting the 36 toxic air pollutants (TAPs) listed in proposed new Appendix 1, Table 1, Toxic Air Pollutants To Be Reported In Emission Statements; (4) a requirement for Emission Statements to be submitted electronically beginning with Emission Statements for reporting year 2002, submitted in 2003; and (5) a requirement that higher PTE facilities report emissions of particulate matter less than 2.5 microns in diameter (PM 2.5) and ammonia (NH<sub>3</sub>), beginning with the Emission Statements for reporting year 2002 that are submitted in 2003. Responding to comments, NJDEP is deferring the implementation of the new reporting requirements for CO<sub>2</sub>, CH<sub>4</sub>, PM 2.5, NH<sub>3</sub> and the 36 TAPs for one year. NJDEP has established a voluntary pilot reporting program for reporting year 2002. Voluntary emission reports for CO<sub>2</sub>, CH<sub>4</sub>, PM 2.5, NH<sub>3</sub> and the 36 TAPs will be used by a workgroup to be formed by NJDEP that will resolve implementation issues associated with the new reporting requirements and make necessary revisions to the Remote Access Data Information User System. The amendments may be found at <http://www.state.nj.us/dep/aqm/curformp.htm>. The amendments were adopted on January 23, 2003, and became effective on February 18, 2003. The operative date is March 24, 2003. The regulations will expire November 9, 2004. For further information, contact Dianne Shatin, NJDEP, (609) 984-6570.



## NEW YORK

**WASTEWATER TREATMENT** On February 11, 2003, Assemblyman Thomas DiNapoli introduced A.B. 4081, which promotes the use of reclaimed wastewater. The bill requires a Wastewater Treatment Facility to submit a study regarding the utilization of reclaimed wastewater along with a facility's permit application. The bill was referred to the Assembly Environmental Conservation Committee upon introduction. The bill may be found at <http://assembly.state.ny.us/leg/?bn=A04081&sh=t>. A companion bill is under consideration in the Senate, S.B. 893. For further information, contact Bob Muhly, Army Regions 1 & 2 REC, (410) 436-7101, DSN 584, e-mail: [robert.muhly@aec.apgea.army.mil](mailto:robert.muhly@aec.apgea.army.mil).



## PUERTO RICO

**LAND USE** H.R. 4821 is pending a referral by the Internal Affairs Committee to a specific committee for consideration. The bill orders the Committee of Federal Affairs to investigate the practice and frequency of military air exercises and maneuvers in Puerto Rico and the repercussions of the exercises. It was introduced by Victor Garcia San Inocencio in August of 2002. A notice of the bill's introduction was published in the November *Northern Region Review*. For further information, contact Bob Muhly, Army Regions 1 & 2 REC, (410) 436-7101, DSN 584, e-mail: [robert.muhly@aec.apgea.army.mil](mailto:robert.muhly@aec.apgea.army.mil).

**HAZARDOUS MATERIALS** S.R. 2093 is pending referral by the Internal Affairs Committee to a specific committee for consideration. The bill orders the Puerto Rico Health Committee to investigate the possible connection between the discharge of the material "chaff" by the US Armed Forces and episodes of respiratory ailments in Puerto Rico at that time. It was introduced by Fernando Martin Garcia in September 2002. For further information, contact Bob Muhly, Army Regions 1 & 2 REC, (410) 436-7101, DSN 584, e-mail: [robert.muhly@aec.apgea.army.mil](mailto:robert.muhly@aec.apgea.army.mil).

**FEDERAL ENVIRONMENTAL LEGISLATION** S.R. 2107 is pending referral by the Internal Affairs Committee to a specific committee for consideration. The bill orders the Puerto Rico Senate to formally solicit USEPA Region 2 to put into effect all federal environmental legislation applicable to the military practices of the US Armed Forces on Vieques. It was introduced by Juan A. Cancel Alegria in September 2002. For further information, contact Bob Muhly, Army Regions 1 & 2 REC, (410) 436-7101, DSN 584, e-mail: [robert.muhly@aec.apgea.army.mil](mailto:robert.muhly@aec.apgea.army.mil).

**AMENDMENTS TO THE NON-HAZARDOUS WASTE RULE** The Puerto Rico Environmental Quality Board (PREQB) has proposed amendments to several sections of the 1997 Puerto Rico Non-Hazardous Waste Rule. The amendments are a result of a public hearing and review process; it is not a PREQB initiated proposal. Under consideration are amendments to sections regarding: (1) landfills; (2) biomedical waste, specifically pathogens; and (3) used oil and used tire requirements. Other amendments clarify existing provisions and requirements regarding operation plans, record-keeping, and groundwater requirements. For further information, contact Jose Gutierrez, PREQB, (787) 767-8056.

**AMENDMENTS TO UNDERGROUND STORAGE TANK REGULATIONS** PREQB is discussing amendments to underground storage tank regulations. PREQB staff report that the rulemaking is in the discussion stage only. For further information, contact Ruben Gonzales, PREQB, (787) 767-8181, ext. 2601.

**WATER QUALITY STANDARDS** The Puerto Rico Department of Natural and Environmental Resources (PRDNER) has proposed amendments to the water quality standards (WQS) regulations. Proposed amendments include: (1) revision in the designation for most of the bays that are classified as Class SC waters to Class SB waters with a more stringent WQS for fecal coliforms; (2) addition of a new WQS for antimony; (3) revision to the WQS for arsenic, cadmium, mercury, lead, selenium, and zinc (4) revisions to the WQS for aldrin, dieldrin, chlordane, DDT and metabolites, heptachlor, lindane, methoxychlor, pentachlorophenol, and toxaphane; (5) addition of new WQS for chlorophenol; 2,4-dichlorophenol; 2,4-dimethylphenol; 2-methyl-4,6-dinitrophenol; dinitrophenol; phenol; 1,2-dichlorobenzene; 1,3-dichlorobenzene; 1,4-dichlorobenzene; (6) revisions to the WQS for benzene, carbon

tetrachloride, vinyl chloride, 1,2-dichloroethane, 1,1-dichloroethylene, phenolic substances, and trichloroethane; and (7) addition of new WQS for 16 volatile organic substances and 35 semi-volatile organic substances. A draft is planned to be submitted to PREQB for review. For further information, contact Ruben Gonzales, PRDNER, (787) 767-8181, ext. 2601.

**AMENDMENTS TO THE ADJUDICATION PROCEDURES FOR WATER USE** PRDNER will be amending the rules to include adjudication procedures regarding water usage. The development of the adjudication process is mandated by Law 16 of January 1, 2003. Law 16 requires the establishment of an adjudicative procedure for water rights claims from multiples parties, including the US government. The adjudication procedure, named General Stream Adjudication, will permit the Secretary of PRDNER to institute a process to allocate the available water among competing claimants. The procedure will be similar to procedures currently implemented in Arizona and Alaska. For further information, contact Jose Berrio, PRDNER, (787) 724-8774, ext. 4014.

**REGULATIONS FOR THE SUPPLY OF WATER AND SEWER SERVICES** The Puerto Rico Aqueduct and Sewer Authority (PRASA) has proposed amendments to the 1985 Puerto Rico rules and regulations for the supply of water and sewer services. Most of the amendments pertain to the industrial pretreatment program. PRASA is scheduled to release a revised draft of the proposed regulations for public comment in the first quarter of 2003. For further information, contact Jose Gutierrez, PRASA, (787) 767-8056.



## VIRGIN ISLANDS

**CREATION OF A COMPREHENSIVE UST AND LUST PROGRAM** The Virgin Island Department of Environmental Quality (VIDEQ) has drafted rules to create a comprehensive UST and Leaking Underground Storage Tank (LUST) program. VIDEQ is working with USEPA to develop the program. The rules will include cathodic protection, leak detection, audits and LUST cleanups. VIDEQ submitted a revised draft to USEPA in December 2002. It is anticipated that a draft will be released for public comment in May 2003. For further information, contact Cecil William, VIDEQ, (340) 773-1082, ext. 2273.

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# Region 3

Delaware, Maryland, Pennsylvania, Virginia, West Virginia  
and the District of Columbia

## REGIONAL NEWS

**MARK YOUR CALENDARS - REGION 3 ENVIRONMENTAL COLLOQUIUM** The 6th Region 3 USEPA/State/DOD Environmental Colloquium will be held at the Williamsburg Marriott Hotel, Williamsburg, VA, from September 9 to 11, 2003. A call for presentations has been sent out. Anyone interested in submitting a presentation should visit the colloquium website at <http://www.epa.gov/reg3esd1/fedfac/seminars.htm>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**WITHDRAWAL OF EXCLUSION FOR USED CATHODE RAY TUBES** USEPA has issued a withdrawal of a direct final rule due to adverse comment [68 FR 8553, February 24, 2003]. The direct final rule was issued on December 26, 2002. It excluded used cathode ray tubes (CRTs) and glass removed from CRTs from the definition of solid waste in USEPA Region 3 Mid-Atlantic states (Delaware, Maryland, West Virginia, Pennsylvania, Virginia, and the District of Columbia). A notice of the December 2002 direct final rule was published in the January *Northern Region Review*. The

adverse comments will be addressed in a subsequent final action. For further information, contact Marie Holman, USEPA, Office of Environmental Innovation, Philadelphia, PA, (215) 814-5463, e-mail: [holman.marie@epa.gov](mailto:holman.marie@epa.gov).



## DELAWARE

**ADOPTION OF FEDERAL DRINKING WATER RULES** The Delaware Department of Public Health (DDPH) has proposed the adoption of several federal drinking water rules (Chapter 22). The proposed rules include the Lead/Copper Rule Minor Revisions, the Filter Backwash and Recycle Rule, the Radionuclides Rule, and additional requirements of the Arsenic Rule. DDPH also has proposed setting proficiency testing requirements for laboratories that conduct drinking water analyses for public drinking systems. DDPH will require that any major sanitary defects noted during sanitary surveys must be corrected within 45 days. DDPH also is accepting comments on how best to establish regulatory limits for interim health effect levels for unregulated contaminants. The proposal is expected to become final with an effective date of July 11, 2003. For further information, contact Ed Hallock, DDPH, (302) 739-5410.

**CONTROL TECHNOLOGY DETERMINATIONS FOR MAJOR SOURCES** The Delaware Department of Natural Resources and Environmental Control (DDNREC) has proposed amendments that would revise Subpart B of Regulation 38, Emission Standards for Hazardous Air Pollutants for Source Categories. The amendments reflect negotiated changes that USEPA must implement as a result of a court settlement with the Sierra Club. The amendments would revise the Part 2 Maximum Achievable Control Technology (MACT) application submittal dates and provide new requirements for requesting applicability determinations consistent with the settlement. Several other minor changes in language are being proposed to improve clarity. Comments are due by March 31, 2003. For further information, contact Jim Snead, DDNREC, (302) 323-4542.



## MARYLAND

**REVISIONS TO REGULATIONS FOR PERMITS** USEPA has issued a direct final rule approving revisions to the Maryland State Implementation Plan (SIP) [68 FR 9012, February 27, 2003]. The revisions amend provisions to Maryland's regulations for permits, approvals, and registration and related changes to the regulations for general emission standards, prohibitions, restrictions, and volatile organic compounds (VOCs) from specific processes. Barring adverse comment the direct final rule becomes effective on April 28, 2003. For further information, contact Harold Frankford, USEPA, (215) 814-2108, e-mail: [frankford.harold@epa.gov](mailto:frankford.harold@epa.gov).

**APPROVAL AND PROMULGATION OF AIR QUALITY IMPLEMENTATION PLANS** USEPA has issued a direct final rule approving revisions to the Maryland SIP [68 FR 9017, February 27, 2003]. One revision removes the state ambient air quality standard for hydrocarbons from the SIP. The other revision removes an outdated citation of a current SIP provision regarding the granting of visible emissions exceptions by control officers. Barring adverse comment the direct final rule becomes effective on April 28, 2003. For further information, contact Harold Frankford, USEPA, (215) 814-2108, e-mail: [frankford.harold@epa.gov](mailto:frankford.harold@epa.gov).

**MILITARY INSTALLATION STRATEGIC PLANNING COUNCIL** On March 7, 2003, H.B. 888 passed the House by a 137-0 vote and is now in the Senate for consideration. The bill establishes the Maryland Military Installation Strategic Planning Council. The bill provides for the membership, purposes, and staffing of the council. If the bill becomes law some of the Council's functions will be to identify: (1) public infrastructure and other community support necessary to improve mission efficiencies and for the development and expansion of existing military installations in the state; (2) existing and potential impacts of encroachment on military installation in the state; and (3) potential state and community actions that can minimize the impacts of encroachment and enhance the long term potential of military installations. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**WATER CONSERVATION** On February 7, 2003, Delegate Virginia Clagett introduced H.B. 659, which establishes a task force on water resource management. The bill provides criteria for membership of the task force and requires the task force to examine management, development, conservation, and protection issues relevant to ground and surface water; perform assessments; and make findings, recommendations, and cost estimates. The bill also requires the task force to issue an interim report by December 31, 2003, and a final report by May 31, 2004, to the Governor and the Legislature. The bill may be found at <http://mlis.state.md.us/2003rs/bills/hb/hb0659f.rtf>. A companion bill is under consideration in the Senate, S.B. 630. The bill was referred to the House Environmental Matters Committee upon introduction. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**ABATEMENT OF LEAD-CONTAINING SUBSTANCES FROM BUILDINGS** The Maryland Department of the Environment (MDE) has adopted amendments to several of the lead abatement and risk reduction regulations at COMAR 26.02.07, 26.16.01, 26.16.02, 26.16.12. The amendments bring the state's lead dust standards into conformance with USEPA standards. Additionally, the amendments conform the method for determining lead-free status for multi-unit residential rental complexes to federal standards. MDE also amended the accreditation and training for lead paint abatement services regulations in order to extend the cleanup requirements to all waste from painted surfaces generated during lead hazard reduction work. The amendments became effective on February 17, 2003. For further information, contact Gail Castleman, MDE, (410) 631-3310.



## PENNSYLVANIA

**REVISIONS TO AIR RESOURCE REGULATIONS** USEPA has issued a direct final rule approving a revision to the Pennsylvania SIP submitted by the Pennsylvania Department of Environmental Protection (PADEP) [68 FR 8723, February 25, 2003]. The revision changes portions of Pennsylvania's air resource regulations, specifically approving revised definitions related to "major modification," "modification," "potential to emit," "responsible official" and "secondary emissions" as conforming to the federal definitions of the terms. The changes will make Pennsylvania's regulations consistent with federal requirements. Barring adverse comment the direct final rule becomes effective on April 28, 2003. For further information, contact Michael Ioff, USEPA, P.E., (215) 814-2166, e-mail: [ioff.mike@epa.gov](mailto:ioff.mike@epa.gov).

**EMISSIONS** On February 10, 2003, Representative Ellen Bard introduced H.B. 123, which directs PADEP to implement a zero-emission vehicle program. The bill states that greater fuel efficiency of motor vehicles within the Commonwealth could result in a reduced need for petroleum imports. The bill was referred to the House Environmental Resources and Energy Committee upon introduction. The bill may be found at <http://www.legis.state.pa.us/WU01/LI/BI/BT/2003/0/HB0123P0171.HTM>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**SOLID WASTE** On February 24, 2003, Representative Camille George introduced H.B. 419, which establishes a moratorium on the issuance of certain permits relating to municipal waste landfills. The bill provides for rescission of unused capacity, for municipal control and for rebuttable presumptions and defenses. The bill also authorizes grants for municipal recycling improvements. The bill may be found at <http://www.legis.state.pa.us/WU01/LI/BI/BT/2003/0/HB0419P0483.HTM>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**HAZARDOUS WASTE** On February 25, 2003, Representative Craig Dally introduced H.B. 483, which requires permits for the operation of hazardous waste transfer facilities. The bill may be found at <http://www.legis.state.pa.us/WU01/LI/BI/BT/2003/0/HB0483P0561.HTM>. The bill was referred to the House Environmental Resources and Energy Committee upon introduction. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**CONTROL OF TOXIC SUBSTANCES IN THE DELAWARE RIVER ESTUARY** In 2000 the Delaware River Basin Commission (DRBC) passed Resolution 2000-13, which requires the Commission and the Commission's Toxics Advisory Committee (TAC) to: (1) monitor the discharge of toxic substances, including PCBs, metals and DDT, to the Delaware Estuary; (2) model and assess the contributions of toxics substances from both point and non-point sources; and (3) develop controls to limit the contributions of such substances from all sources to meet water quality standards. The resolution also provides that dischargers who fail or refuse to provide PCB monitoring data are deemed a source of



PCB pollution. In that case, DRBC may conduct the monitoring and charge the cost to the discharger. Monitoring required by the resolution is currently being performed. DRBC is forming an Implementation Advisory Committee (IAC) to develop the means to achieve standards and meet uses. DRBC published comments on the formation of the IAC in December 2002. DRBC has not set a deadline for comments, but expects to convene the IAC by the end of March 2003. DRBC also will discuss the revised PCB criteria at the meeting at the end of March 2003. DRBC staff report that the commission expects to hold public hearings on the TMDLs during the summer and fall 2003. The deadline for the promulgation of the TMDL is December 15, 2003. Resolution 2000-13 may be found at <http://www.state.nj.us/drbc/Res2000-13.htm>. For further information, contact Thomas Fikslin, DRBC, (609) 883-9500, ext. 253

**REVISION TO SIP FOR OZONE NONATTAINMENT AREA** PADEP has proposed revisions to the SIP for Ozone for the Pittsburgh-Beaver Valley Ozone Nonattainment Area. The revisions identify additional measures the Commonwealth would take in the event of exceedances of the 1-hour ozone standard, in accordance with the procedures of the Air Pollution Control Act (35 P. S. §§ 4001--4015) and other relevant state statutes, to ensure that the Pittsburgh area maintains the 1-hour ozone NAAQS. The Sierra Club, along with others, challenged USEPA's Beaver Valley area redesignation to attainment of the 1-hour ozone standard in the 3rd Circuit US Court of Appeals. PADEP and the Southwestern Pennsylvania Growth Alliance subsequently intervened in the case in support of USEPA's decision. A settlement agreement was signed that included terms and conditions requiring the Commonwealth to amend the contingency measures of the plan. The revised maintenance plan must be submitted to USEPA for approval as a SIP revision. Additional measures found in the revisions include: (1) incorporating transportation control measures into the SIP if the measures offer a quantifiable ozone reduction benefit; (2) increasing rule effectiveness of Stage II controls at gasoline stations to control VOC emissions; (3) convening a stakeholder group to recommend additional measures; and (4) adding control measures to attain and maintain the ozone NAAQS in the area. The revisions may be found at <http://www.dep.state.pa.us/dep/deputate/airwaste/aq/plans/newcontingencyplan11.pdf>. For further information, contact Wick Havens, PADEP, (717) 787-9495.



## VIRGINIA

**14<sup>TH</sup> ANNUAL ENVIRONMENT VIRGINIA CONFERENCE** The conference is hosted by the Virginia Department of Environmental Quality (VDEQ), Virginia Department of Forestry, USACE, and the Virginia Military Institute (VMI) Research Laboratories, with the theme, "Water: Securing Virginia's Future, Supply Planning and Security." The conference will be held at the VMI Jackson Memorial Hall, April 29 – May 1, 2003. The registration fee for those who register by April 4, 2003 is \$150; the fee for registration after April 4, 2003 is \$225. For further information, visit the conference website at <http://www.environmentva.org/>.

**HAZARDOUS WASTE FEES** H.B. 2315 died upon failure to meet the crossover deadline. A notice of the introduction of the bill was published in the February *Northern Region Review*. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**AIR REGULATIONS FOR SMALL MWCS** VDEQ has proposed new air regulations for Municipal Waste Combustors (MWCs) with a combustion capacity of less than 250 tons per day of municipal solid waste (9 VAC 5-40). VDEQ regulations for large combustors became effective on August 4, 1999. The final proposed regulation will be submitted to the Air Pollution Control Board for review at the April 2003 meeting. For further information, contact Karen Sabasteanski, VDEQ, (804) 698-4426.

**EMISSIONS CONTROLS FOR COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATORS** VDEQ has proposed a state regulation (9 VAC 5-40) that controls emissions from commercial/industrial solid waste incinerators (CISWIs) as required by §§ 111(d) and 129 of CAA. In addition to meeting USEPA's requirements, the regulation must also address separate state requirements for odor, toxics, fugitive emissions and permits. The final proposed regulation will be submitted to the Air Pollution Control Board for review at the April 2003 meeting. For further information, contact Karen Sabasteanski, VDEQ, (804) 698-4426.

**AMENDMENTS TO THE SOLID WASTE MANAGEMENT REGULATIONS** VDEQ has proposed Amendment 3 of the Solid Waste Management Regulations (9 VAC 20-80-10, Amdt. 3). The amendments are intended to address the

remaining statutory changes passed during recent General Assembly sessions that are not addressed in Amendment 2 (which became effective May 23, 2001). The statutes to be addressed include: (1) disposal capacity guarantees; (2) host community agreements; (3) reporting requirements for locally owned facilities, and (4) permit conditions for capacity guarantees. The proposed rule will be reviewed by the Waste Management Board on March 28, 2003. If the board approves the proposed rule it will be published and will become effective by the end of May 2003. For further information, contact Michael Dieter, VDEQ, (804) 698-4146.

**SOLID WASTE MANAGEMENT FACILITY PERMIT APPLICATION FEES** VDEQ has proposed a permanent regulation as a follow-up to an emergency regulation that became effective on July 1, 2002, and expires June 30, 2003. The emergency regulation that tripled permit fees was issued in response to the passing of H.B. 1257 in the 2002 session. H.B. 1257 allowed the Virginia Waste Management Board (VWMB) to: (1) increase fees up to 300% of the existing fee; and (2) establish a fee schedule sufficient to cover up to 20% of the direct cost of the hazardous and solid waste management programs based on allocations made to the programs in the 2002 Appropriation Act. Comments on the proposed permanent regulation are due by March 28, 2003. For further information, contact Michael Dieter, VDEQ, (804) 698-4146.

**AMENDMENT OF FACILITY AND ABOVEGROUND STORAGE TANK REGULATIONS** VDEQ is drafting revisions as a result of a review of the aboveground storage tank (AST) regulations at 9 VAC 25-91-10. The revisions clarify the requirements set forth in statute and current implementation of the program, and make the requirements more easily understandable, but no new significant requirements will be proposed. The primary goal of the revisions is to develop the standards and procedures necessary for facility operators to prevent the discharge of oil to state waters, lands and storm drain systems from new and existing aboveground storage tanks. The standards and procedures incorporate accepted codes, industry practices and standards. The revisions establish requirements for facility contingency plans. Plans must address the effect of oil discharges on the environment and public health and safety. The oil discharge contingency plans will ensure that facility operators can take necessary steps to protect environmentally sensitive areas; to respond to the threat of an oil discharge, and to contain, cleanup and mitigate an oil discharge within the shortest feasible time. The revisions provide registration requirements for facilities and aboveground storage tanks that contain oil. The revisions establish fees for registration from \$25 for a single AST to a maximum fee of \$100 for multiple facilities and ASTs. The Groundwater Characterization Study (GCS) and GCS well monitoring requirements of the regulations apply to individual ASTs with an aboveground storage capacity of one million gallons or greater. VDEQ staff report that the revisions are being reviewed and expect that they will go before the Water Control Board by April 2003 at the earliest. Following approval by the board, the proposed revisions will be published. For further information, contact L. Samuel Lillard, VDEQ, (804) 698-4276.

**MUNICIPAL SOLID WASTE LANDFILLS** VDEQ has proposed amendments to the rules on Control and Abatement of Air Pollution concerning municipal solid waste landfills (9 VAC 5-40 Rev B02). VDEQ also has proposed forming an ad hoc advisory group, use a standing committee, or consult stakeholder groups. The group would develop amendments to the regulations for department consideration through the collaborative approach of regulatory negotiation and consensus. A hearing is scheduled for April 9, 2003, and comments are due by April 25, 2003. For further information, contact Karen Sabastanski, VDEQ, (804) 698-4426.

**VOC EMISSION STANDARDS** VDEQ is considering amendments to the regulations concerning VOC Emission Standards. The amendments address the following issues: (1) mobile equipment repair and refinishing; (2) solvent cleaning; (3) portable fuel container spillage control; (4) consumer products; (5) architectural and industrial maintenance coatings; and (6) additional NOx sources (including industrial boilers, stationary combustion turbines, stationary reciprocating engines, emergency generators, load shaving units, and cement kilns). VDEQ staff report that the Ozone Transport Commission (OTC) Model Rules will be used as the basis for the regulations, and that no major changes are planned for the Model Rules. VDEQ also is considering forming an ad hoc advisory group, using a standing committee, or consulting stakeholder groups. The group would develop amendments to the regulations for VDEQ consideration through the collaborative approach of regulatory negotiation and consensus. The amendments will be brought before the State Air Pollution Control Board on April 7, 2003 for review. If the board approves the amendments, they will be published as proposed regulations followed by a 60-day comment period. For further information, contact Kathleen Sands, VDEQ, (804) 698-4413.

**UNDERGROUND STORAGE TANKS** VDEQ has drafted amendments to the UST regulations at 9 VAC 25-580 and 9 VAC 25-590. The regulations concern financial and technical requirements. The draft amendments will be reviewed at the March 2003 meeting. If the amendments are approved, they will be published as proposed regulations and will be open for public comment in June or July 2003. The draft amendments to the financial requirements are still being

drafted and will be submitted to USEPA for preliminary approval before going to the Board. For further information, contact Cindy Berndt, VDEQ, (804) 698-4378.

**AMENDMENTS TO HAMPTON ROADS EMISSIONS CONTROL AREA** VDEQ has published a Notice of Intended Rulemaking Action to consider enlarging the scope of the Hampton Roads Emissions Control Area in order to include four previously exempt jurisdictions subject to the VOC emission standards for existing sources (9 VAC 5-20). The discussed changes are required pursuant to the state's obligation to implement contingency measures as a result of the area's violation of the 1-hour ozone standard. The amendments will be brought before the State Air Pollution Control Board at the April 7, 2003 for review. If the board approves the amendments, they will be published as proposed regulations followed by a 60-day comment period. For further information, contact Kathleen Sands, VDEQ, (804) 698-4413.

**REPEAL OF EXISTING WATER QUALITY MANAGEMENT PLANS** VDEQ has adopted a regulation, "Water Quality Management Planning Public Participation Guidelines." The regulation covers the procedures for public participation during TMDL development, submittal of proposed TMDLs to USEPA and inclusion of approved TMDLs and TMDL implementation plans in the water quality management plans. The adoption also includes the repeal of 18 existing water quality management plans as state regulations. The State Water Control Board (SWQB) has recommended that VDEQ issue the procedures for TMDL development in the form of a guidance. A draft guidance is expected to be completed by the end of April 2003. SWCB approved the proposed regulation that repealed 18 existing water quality management plans and replaces them with one umbrella regulation on January 6, 2003. The repeal is expected to become effective on April 23, 2003. For further information, contact Charles Martin, VDEQ, (804) 698-4462.

**JAMES RIVER SURFACE WATER MANAGEMENT AREA** VDEQ has proposed regulations that would designate the James River near Richmond as a surface water management area (9 VAC 25-760). The regulations will define: (1) the boundaries of the area; (2) voluntary agreements among the withdrawers; (3) flow levels that will trigger permit conditions; and (4) classification of water uses. VDEQ has received approval from the necessary departments and Governor Mark Warner, and a hearing is planned for mid-April 2003. For further information, contact Terry Wagner, VDEQ, (804) 698-4043.

**PCBS IN NEW RIVER** VDEQ is discussing the efforts to locate the sources and identify the status of PCBs in New River. The New River PCB Source Study Committee has held meetings to address the efforts to locate current and historical sources of PCBs, and the efforts to determine the status of PCBs in New River. Background information on PCBs, PCB data collected on the lower New River to date and the status of additional PCB data collections have been discussed. Since the last meeting, the committee hired a PCB inspector to gather data through sediment sampling in streams and has evaluated the sediment sample results to determine the watersheds that are most affected by PCBs. The committee has also been researching records in order to determine which operations have historically used PCBs. From the list, the committee is researching files and surveying people in order to create a final list of operations that should be fully researched as PCB sources. The next committee meeting is expected to be held early to mid-Spring 2003. For further information, contact Jay Roberts, VDEQ, (540) 562-6785.

**WATER QUALITY ASSESSMENT AND REPORT ON IMPAIRED WATERS** VDEQ has issued a draft 305(b) Water Quality Assessment and 303(d) Report. Proposed changes in the assessment include the use of a five-year assessment period, as opposed to a two-year period that made it difficult to accurately predict water quality because the number of sampling data points were limited. Other proposed changes include the inclusion of an estuarine benthic and toxic review of water quality and the assessment of fish tissue as it relates to fish consumption use. In the draft 303(d) report, VDEQ has identified a total of 4,403 stream miles that are impaired because of human activity, an increase of 1,568 stream miles since the last impaired waters report in 1998. The reasons for the increase include analysis of additional stream miles and the use of stricter standards to designate impairments. Some waters are either fully or partially impaired due to natural causes. Further studies of each of the waters must be made in order to determine whether or not a TMDL is applicable. The draft 303(d) report also contains a list of completed TMDLs and TMDLs due for development by 2004. The draft 305(b) report may be found at <http://www.deq.state.va.us/water/305b.html>, and the draft 303(d) report may be found at <http://www.deq.state.va.us/water/303d.html>. For further information, contact Darryl Glover, VDEQ, (804) 698-4321.

**NUTRIENT CRITERIA DEVELOPMENT** VDEQ has proposed a plan for Nutrient Criteria Development and submitted the plan to USEPA. While USEPA does not require states to submit a Nutrient Criteria Development Plan, it highly recommends that states do so. The plan may be found at <http://www.deq.state.va.us/wqs/nutplan.pdf>. VDEQ is waiting for USEPA approval. For further information, contact Elleanore Daub, VDEQ, (804) 698-4111.

**TRANSPORTATION OF HAZARDOUS MATERIALS** VWMB has proposed regulations (9 VAC 20-110-10 et. Seq) to revise definitions as necessary for consistency with federal regulations. The regulations will: (1) update references to cite current federal regulations; (2) remove obsolete sections; and (3) revise, as necessary, requirements for registration of shippers with the Department of Emergency Management. The final proposed regulation will go before the Air Waste Management Board on March 28, 2003. If the proposed regulation is approved, it must then be submitted for the Governor's approval. For further information, contact Melissa Porterfield, VWMB, (804) 698-4238.

**AMENDMENTS TO HAZARDOUS WASTE REGULATIONS** VWMB has adopted an amendment that updates the effective date of a federal regulatory test that is incorporated by reference from July 1, 2001 to July 1, 2002 (9 VAC 20-60-18). The amendment becomes effective on March 26, 2003. For further information, contact Robert Wickline, VWMB, (804) 698-4213.

**EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS** The Virginia Air Pollution Control Board (VAPCB) has proposed a revision to the Commonwealth of Virginia Section 111(d) Plan. The plan is intended to control emissions of designated pollutants to the atmosphere from hospital/medical/infectious waste incinerators. The plan consists of: (1) emission limitations and other regulatory requirements; (2) an inventory of emissions from the affected facilities; and (3) other supporting documentation. VAPCB is seeking comment on the overall plan, and on whether any regulations included in the plan should be submitted to the USEPA as part of the plan. VAPCB expects to make technical corrections and finalize the plan at the April 2003 board meeting. Following approval, the plan will be resubmitted to USEPA. For further information, contact Karen Sabasteanski, VAPCB, (804) 698-4426.

**WASTEWATER RECLAMATION AND REUSE** The Virginia State Water Control Board (VSWCB) has proposed a regulation establishing technical standards that address various potential categories of reuse and provide for greater flexibility and less stringent requirements commensurate with the quality of the reclaimed water and its intended use. Two sets of reclaimed water quality were proposed for the following reuse categories: irrigation for agricultural, forest and landscape uses, industrial processes (cooling, boiler feed, stack scrubbing and process water), and nonpotable urban use (street washing, vehicle washing and fire protection). Additionally, the regulation provides a case-by-case approval for any unlisted reuse categories. It also prescribes specific design, operation and maintenance standards for wastewater reclamation and reuse systems. The standards will be incorporated into the Virginia Pollution Abatement or Virginia Pollutant Discharge Elimination System permit issued to the treatment works that produces the reclaimed water and a facility that reuses the reclaimed water. Comments are due by April 25, 2003. For further information, contact Lily Choi, VSWCB, (804) 698-4039.

**TRIENNIAL REVIEW OF WATER QUALITY STANDARDS** VSWCB has proposed a comprehensive triennial review of Virginia's Water Quality Standards (9 VAC 25-260-5 et seq.). The review and proposed amendments will include new and revised regulations in terms of definitions, criteria, policies, general requirements and various other changes. VSWCB is currently reviewing the comments received. Adoption of the proposal is expected by the end of March 2003 with an effective date in Fall 2003. For further information, contact Elleanore Daub, VSWCB, (804) 698-4111.



## WEST VIRGINIA

**PREVENTION AND CONTROL AIR POLLUTION FROM COMBUSTION OF REFUSE** USEPA has issued a direct final rule approving a revision to the West Virginia SIP [68 FR 6627, February 10, 2003]. The SIP revision amends a regulation to prevent and control air pollution from combustion of refuse. Barring adverse comment the direct final rule becomes effective on April 11, 2003. For further information, contact Kathleen Anderson, USEPA, (215) 814-2173, e-mail: [anderson.kathleen@epa.gov](mailto:anderson.kathleen@epa.gov).

**STATIONARY SOURCES OF AIR POLLUTANTS** USEPA has issued a direct final rule approving revisions to the West Virginia SIP [68 FR 9559, February 28, 2003]. The revisions change portions of West Virginia's minor new source review and existing stationary source operating permit program. The direct final rule converts the partial approval and partial disapproval of West Virginia's minor new source review permit program, published January 13, 2000, to full approval. USEPA's full approval of the revision to the West Virginia SIP is based on findings that the deficiencies forming the basis for the partial approval/disapproval of West Virginia's minor new source review permit program have been corrected in the SIP revision. Barring adverse comment the direct final rule becomes effective on April 29, 2003. For further information, contact Michael Ioff, USEPA, P.E., (215) 814-2166, e-mail: [ioff.mike@epa.gov](mailto:ioff.mike@epa.gov).

**FAILED LEGISLATION** A group of 13 bills introduced to the West Virginia Legislature this year, mentioned in the February *Northern Region Review*, died upon failing to meet the legislature's Feb. 27, 2003 crossover deadline. The failed House bills include: 2563, 2564, 2565, 2567, 2568, 2573, 2604. The failed Senate bills include: 225, 242, 244, 246, 250, 257. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**AMENDMENTS TO AIR REGULATIONS** The West Virginia Department of Environmental Protection (WVDEP) has approved amendments to several air regulations. The amended regulations include: (1) NOx Budget Trading Programs as a Means of Control and Reduction of NOx (45 CSR 1); (2) Standards of Performance for New Stationary Sources (45 CSR 16); (3) Prevention and Control of Air Pollution from Hazardous Waste TSD Facilities (45 CSR 25); (4) NOx Budget Trading Program as a Means of Control and Reduction of NOx from Electric Generating Unit (45 CSR 26); and (5) Emission Standards for Hazardous Air Pollutants for Source Categories (45 CSR 34). The approved amendments will be included with other regulations in a legislative package that must be approved by the Legislature in order to become final. The approval should be granted by March or April 2003. For further information, contact Stephanie Timmermeyer, WVDEP, (304) 926-3647.

**AMENDMENTS TO AIR PERMITTING REGULATIONS** WVDEP has approved amendments to several air permitting regulations. The amendments include: (1) Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits and Procedures for Evaluation (45 CSR 13); (2) Requirements for Operating Permits (45 CSR 30); and (3) Acid Rain Provisions and Permits (45 CSR 33). The approved amendments will be included with other regulations in a legislative package that must be approved by the Legislature in order to become final. The approval should be granted by March or April 2003. For further information, contact Stephanie Timmermeyer, WVDEP, (304) 926-3647.

**2002 303(d) LIST** WVDEP has drafted the 2002 303(d) list of impaired waters. WVDEP has collected water quality data for the list. In addition to data collected by the office's Watershed Assessment Program, WVDEP compiled data collected by other agencies, watershed associations, permittees and any other person or organization with available water quality data. WVDEP has submitted the list to USEPA and is waiting for approval. For further information, contact Christine Daugherty, WVDEP, (304) 558-2108.

**STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES** WVDEP has renewed and amended the general permit for stormwater associated with construction activities. The previous permit expired on December 4, 2002. WVDEP is beginning a stormwater management program, as required by USEPA. The adopted changes will allow construction activities currently underway to have until December 4, 2003, to finish the activity under the existing permit terms and conditions. Another amendment requires that larger projects go through a public review process, subject to WVDEP's anti-degradation policy. The final permit was issued November 5, 2002, became effective December 5, 2002, and will expire December 4, 2007. For further information, contact Andy Weak, WVDEP, (304) 368-3960.

**FOLLANSBEE AREA TO ATTAINMENT FOR PM-10** WVDEP has proposed the redesignation of the Group 1, Follansbee area to attainment for particulate matter (PM-10). The redesignation request and maintenance plan will be submitted to USEPA as a revision to the SIP. A hearing is scheduled for April 7, 2003. Comments are due by April 7, 2003. For further information, contact John Benedict, WVDEP, (304) 926-3726.

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# Region 5

Illinois, Indiana, Michigan, Minnesota,  
Ohio and Wisconsin



## ILLINOIS

**UPDATE OF DRINKING WATER REGULATIONS** The Illinois Pollution Control Board (IPCB) has adopted updates to the Illinois drinking water regulations based on USEPA amendments to the federal SDWA Long Term 1 Enhanced Surface Water Treatment Rule (LT1SWTR). The updates change the Illinois SDWA drinking water rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during the update period of January 1, 2002 through June 30, 2002. Specifically, the amendments to Part 611 implement the 2002 federal LT1SWTR, extending the requirements of the 1998 interim enhanced surface water rule to smaller water systems. The 1998 interim rule imposed filtration and disinfection requirements on larger water systems (those providing water to 10,000 persons or more) that use surface water or groundwater under the direct influence of surface water. The 2002 LT1SWTR extends enhanced filtration and disinfection requirements to smaller public water supplies (those serving fewer than 10,000 persons). The amendment's implementation date is January 14, 2005. IPCB adopted the regulations at the December 19, 2002 meeting and they became effective on January 10, 2003. For further information, contact Michael McCambridge, IPCB, (312) 814-6924.

**REVISIONS TO THE PRIVATE SEWAGE DISPOSAL CODE** The Illinois Department of Public Health (IDPH) has adopted revisions to the private sewage disposal code at 77 IAC 905. The revisions: (1) adopt the most current National Sanitation Foundation standard for the testing and evaluation of aerobic treatment systems; (2) clarify the manner in which wastes must be handled when floor drains collect waste in areas where motor vehicles are stored; (3) amend the acceptable systems and design requirements for various private sewage systems; and (4) establish criteria for the issuance of civil fines for violations of the regulation. The revisions became effective on February 10, 2003. For further information, contact Peggy Snyder, IDPH, (217) 782-2043.

**UNDERGROUND STORAGE TANKS** The Illinois Office of the State Fire Marshal (OSFM) approved a proposal to amend, add and repeal a number of rules regarding the storage, transportation, sale and use of petroleum and other regulated substances (41 IAC 170). The rules are designed to prevent release of petroleum and other regulated substances from USTs. Approval of the amendments is expected by the end of March 2003, with the amendments being published by April 2003. For further information, contact John Pavlou, OSFM, (217) 785-1031.



## INDIANA

**COMPLIANCE METHODS FOR DIP AND FLOW OPERATIONS AT METAL COATING OPERATIONS** The Indiana Department of Environmental Management (IDEM) has adopted revised compliance methods for dip and flow operations for miscellaneous metal coating facilities (326 IAC 8-1-2). The adoption incorporated amendments that provide a compliance option for sources using dip or flow coating as application techniques. The option relied on determining compliance "as applied" based on the interval between solvent additions and use of an equation. The revisions may be found at <http://www.in.gov/legislative/register/Vol25/09Jun/08P326010251.pdf>. The revisions became effective on December 15, 2002. For further information, contact Patricia Troth, IDEM, (317) 233-5681.



## MICHIGAN

**EXCESS EMISSIONS DURING STARTUP, SHUTDOWN OR MALFUNCTION** USEPA has issued a direct final rule approving several rule revisions for incorporation into Michigan's SIP [[68 FR 8550](#), February 24, 2003]. The Michigan Department of Environmental Quality submitted the revisions to USEPA on September 23, 2002. They include rules to address excess emissions occurring during startup, shutdown or malfunction, as well as revisions to related definitions. Barring adverse comment the revisions become effective on April 25, 2003. For further information, contact Kathleen D'Agostino, USEPA, Environmental Engineer, Air Programs Branch, Chicago, IL, (312) 886-1767, e-mail: [dagostino.kathleen@epa.gov](mailto:dagostino.kathleen@epa.gov).

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- U.S. AEC <http://aec.army.mil>
- U.S. EPA <http://www.epa.gov/>
  - REGION 1 <http://www.epa.gov/region01/>
  - REGION 2 <http://www.epa.gov/region2/>
  - REGION 3 <http://www.epa.gov/region03/index.htm>
  - REGION 5 <http://www.epa.gov/region5/>
- USDA <http://www.usda.gov/>
- DOI <http://www.doi.gov/>
- FEDERAL REGISTER [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)
- CODE OF FEDERAL REGULATIONS <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>
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- MARYLAND <http://www.mec.state.md.us/>
- MASS. <http://www.magnet.state.ma.us/massgov.htm>
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- PUERTO RICO <http://fortaleza.govpr.org/ingles/pris.htm>
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- VERMONT <http://www.cit.state.vt.us/>
- VIRGIN ISLANDS <http://www.gov.vi/>
- VIRGINIA <http://www.state.va.us/>
- WEST VIRGINIA <http://www.state.wv.us/>
- WISCONSIN <http://www.state.wi.us/>

### STATE/TERRITORY SOURCES

- CONNECTICUT <http://www.state.ct.us/>
- DELAWARE <http://www.state.de.us/>
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